

# **TAB 10**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

_____	x	
	:	
THE CITY OF HUNTINGTON,	:	Civil Action
	:	
Plaintiff,	:	No. 3:17-cv-01362
	:	
v.	:	
	:	
AMERISOURCEBERGEN DRUG	:	
CORPORATION, et al.,	:	
	:	
Defendants.	:	

_____	x	
	:	
CABELL COUNTY COMMISSION,	:	Civil Action
	:	
Plaintiff,	:	No. 3:17-cv-01665
	:	
v.	:	
	:	
AMERISOURCEBERGEN DRUG	:	
CORPORATION, et al.,	:	
	:	
Defendants.	:	

BENCH TRIAL - VOLUME 13  
BEFORE THE HONORABLE DAVID A. FABER, SENIOR STATUS JUDGE  
UNITED STATES DISTRICT COURT  
IN CHARLESTON, WEST VIRGINIA

MAY 19, 2021

1       **A.**    I know exactly where you lived, Paul, yes.

2       **Q.**    My grandfather used to take me to Sacred Heart Church  
3       at 7:00 a.m. on weekdays. I don't know if that's where  
4       you're at.

5       **A.**    Yes.

6       **Q.**    I know your family as well. That's one of the reasons  
7       why Eric is the one who took the beginning. I've got a  
8       couple questions for you.

9       **A.**    Sure.

10      **Q.**    Without belaboring the point, you performed the sales  
11      function for AmerisourceBergen; correct?

12      **A.**    That's correct.

13      **Q.**    And the Suspicious Order Monitoring and the Regulatory  
14      Compliance was a separate component of AmerisourceBergen?

15      **A.**    I wouldn't say it was a separate, separate component.  
16      It was part of AmerisourceBergen.

17      **Q.**    So were you watching or tracking the volume of pills  
18      that were going into your pharmacies?

19      **A.**    That's something that I would not or did not do.

20      **Q.**    At any point in time were you advised or shown  
21      statistics or trends of purchasers from the pharmacies that  
22      you serviced?

23      **A.**    I don't recall that.

24      **Q.**    I noticed in some of the communications that you were  
25      assigned Kentucky, or there was a -- your division or

1 territory included Kentucky?

2 **A.** Yeah. From time to time -- you know, we had different  
3 initiatives in the company. We would have different  
4 positions, territory changes because the company wanted to  
5 have a different initiative to go to market and so on.

6 So from time to time, our, our sales territories did  
7 change. And, of course, my territories changed, you know,  
8 maybe every six, seven, eight years, whatever it might be.

9 But I still had a good base of customers in that  
10 Huntington area because that was my home. Not only that,  
11 but a lot of my customers did business with  
12 AmerisourceBergen because of who I am, the relationships  
13 that we had, the personal relationships that we had. I was  
14 very, very well received and very well-liked in my  
15 territory, and you could ask my competition if that's true  
16 or not true.

17 **Q.** So your territory also included across the Big Sandy  
18 over into Kentucky; correct?

19 **A.** That's correct.

20 **Q.** That would be Boyd County and Greenup County?

21 **A.** That is correct.

22 **Q.** And then if you cross the Ohio River, that's Lawrence  
23 County and Scioto County. Is that in your territory as  
24 well?

25 **A.** Yes.

1 Q. Just north of Huntington and Cabell County, if you can  
2 swim up river, is Mason County?

3 A. Yes.

4 Q. And if you continue to go down south, you've got Wayne  
5 County, Boone County, and Logan County?

6 A. Okay. So we need some clarification there. So Boone  
7 County and, you know, those deep counties down there, that  
8 was not part of my territory.

9 Q. Okay.

10 A. Yeah.

11 Q. So what about, what about Lincoln County?

12 MR. NICHOLAS: Your Honor, at this point, I don't  
13 want to unnecessarily interrupt, but I think this is beyond  
14 the scope.

15 THE COURT: Well, I don't know where he's going.  
16 Overruled.

17 I'm going to let you go ahead with this, Paul.

18 BY MR. FARRELL:

19 Q. Did you have Lincoln County as well?

20 A. Yes.

21 Q. Okay. So those pharmacies that you called on, were you  
22 ever provided any information or data on the purchasing  
23 trends of your customers in the surrounding counties of  
24 Cabell County?

25 A. I don't recall that.